



General Assembly

January Session, 2003

**Amendment**

LCO No. 7491

\*HB0659207491SD0\*

Offered by:

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. DEFRONZO, 6<sup>th</sup> Dist.

To: Subst. House Bill No. 6592

File No. 795

Cal. No. 531

**"AN ACT CONCERNING IMPLEMENTATION AND  
ADMINISTRATION OF THE "HELP AMERICA VOTE ACT"."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective January 1, 2004*) As used in sections 501 to  
4 516, inclusive, of this act, unless the context otherwise requires:

5 (1) "Administrative action" means any action or nonaction of any  
6 agency of a municipality with respect to the proposal, drafting,  
7 development, consideration, amendment, adoption or repeal of any  
8 rule, regulation, ordinance, referendum, budget or utility rate, and any  
9 action or nonaction of any agency, regarding a contract, grant, award,  
10 purchasing agreement, loan, bond, certificate, license, permit or any  
11 other matter which is within the official jurisdiction or cognizance of  
12 such an agency.

13 (2) "Business organization" means a sole proprietorship,

14 corporation, limited liability company, association, firm or partnership,  
15 other than a client lobbyist, which is owned by, or employs one or  
16 more individual lobbyists.

17 (3) "Candidate for municipal office" means any person who has filed  
18 a declaration of candidacy or a petition to appear on the ballot for  
19 election as a municipal official, or who has raised or expended money  
20 in furtherance of such candidacy, or who has been nominated for  
21 appointment to serve as a municipal official.

22 (4) "Client lobbyist" means a lobbyist on behalf of whom lobbying  
23 takes place and who makes expenditures for lobbying and in  
24 furtherance of lobbying.

25 (5) "Commission" means the State Ethics Commission established  
26 under section 1-80 of the general statutes.

27 (6) "Communicator lobbyist" means a lobbyist who communicates  
28 directly or solicits others to communicate with an official or such  
29 official's staff in a municipality for the purpose of influencing  
30 legislative or administrative action.

31 (7) "Compensation" means any value received or to be received by a  
32 person acting as a lobbyist, whether in the form of a fee, salary or  
33 forbearance.

34 (8) "Expenditure" means any advance, conveyance, deposit,  
35 distribution, transfer of funds, loan, payment, unless expressly  
36 excluded; any payments for telephone, mailing, postage, printing and  
37 other clerical or office services and materials; any paid  
38 communications, costing fifty dollars or more in any calendar year,  
39 disseminated by means of any printing, broadcasting or other  
40 medium, provided such communications refer to pending  
41 administrative or legislative action; any contract, agreement, promise  
42 or other obligation; any solicitation or solicitations, costing fifty dollars  
43 or more in the aggregate for any calendar year, of other persons to  
44 communicate with a municipal official or municipal employee for the

45 purpose of influencing any legislative or administrative act and any  
46 pledge, subscription of money or anything of value. "Expenditure"  
47 shall not include the payment of a registrant's fee pursuant to section  
48 506 of this act, any expenditure made by any club, committee,  
49 partnership, organization, business, union, association or corporation  
50 for the purpose of publishing a newsletter or other release to its  
51 members, shareholders or employees, or contributions, membership  
52 dues or other fees paid to associations, nonstock corporations or tax-  
53 exempt organizations under Section 501(c) of the Internal Revenue  
54 Code of 1986, or any subsequent corresponding internal revenue code  
55 of the United States, as from time to time amended.

56 (9) "Gift" means anything of value, which is directly and personally  
57 received, unless consideration of equal or greater value is given in  
58 return. "Gift" shall not include:

59 (A) A political contribution otherwise reported as required by law  
60 or a donation or payment described in subdivision (9) or (10) of  
61 subsection (b) of section 9-333b of the general statutes;

62 (B) Services provided by persons volunteering their time;

63 (C) A commercially reasonable loan made on terms not more  
64 favorable than loans made in the ordinary course of business;

65 (D) A gift received from (i) the individual's spouse, fiance or fiancée,  
66 (ii) the parent, brother or sister of such spouse or such individual, or  
67 (iii) the child of such individual or the spouse of such child;

68 (E) Goods or services (i) which are provided to a municipality (I) for  
69 use on municipal property, or (II) to support an event or the  
70 participation by a municipal official or municipal employee at an  
71 event, and (ii) which facilitate municipal action or functions. As used  
72 in this subdivision, "municipal property" means property owned or  
73 leased by the municipality;

74 (F) A certificate, plaque or other ceremonial award costing less than

75 one hundred dollars;

76 (G) A rebate, discount or promotional item available to the general  
77 public;

78 (H) Printed or recorded informational material germane to  
79 municipal action or functions;

80 (I) Food or beverage or both, costing less than fifty dollars in the  
81 aggregate per recipient in a calendar year, and consumed on an  
82 occasion or occasions at which the person paying, directly or  
83 indirectly, for the food or beverage, or the person's representative, is in  
84 attendance;

85 (J) A gift, including but not limited to, food or beverage or both,  
86 provided by an individual for the celebration of a major life event;

87 (K) Gifts costing less than one hundred dollars in the aggregate or  
88 food or beverage provided at a hospitality suite at a meeting or  
89 conference of an interstate municipal association, by a person who is  
90 not a registrant or is not doing business with the state of Connecticut;

91 (L) Admission to a charitable or civic event, including food and  
92 beverage provided at such event, but excluding lodging or travel  
93 expenses, at which a municipal official or municipal employee  
94 participates in such official's or employee's official capacity, provided  
95 such admission is provided by the primary sponsoring entity;

96 (M) Anything of value provided by an employer of (i) a municipal  
97 official, (ii) a municipal employee, or (iii) a spouse of a municipal  
98 official or municipal employee, to such official, employee or spouse,  
99 provided such benefits are customarily and ordinarily provided to  
100 others in similar circumstances; or

101 (N) Anything having a value of not more than ten dollars, provided  
102 the aggregate value of all things provided by a donor to a recipient  
103 under this subdivision in any calendar year shall not exceed fifty  
104 dollars.

105 (10) "Immediate family" means any spouse, dependent children or  
106 dependent relatives who reside in the individual's household.

107 (11) "Individual" means a natural person.

108 (12) "Legislative action" means introduction, sponsorship,  
109 consideration, debate, amendment, passage, defeat, approval, veto,  
110 overriding of a veto or any other official action or nonaction with  
111 regard to any rule, regulation, ordinance, referendum, budget,  
112 measure, resolution, amendment, nomination, appointment, report, or  
113 any other matter pending or proposed in a legislative body of a  
114 municipality, or any matter which is within the official jurisdiction or  
115 cognizance of such legislative body.

116 (13) "Lobbying" means communicating directly or soliciting others  
117 to communicate with any official or such official's staff in a  
118 municipality, for the purpose of influencing any legislative or  
119 administrative action except that the term "lobbying" does not include  
120 (A) communications by or on behalf of a party to, or an intervenor in, a  
121 contested case, as defined in regulations adopted by the commission in  
122 accordance with the provisions of chapter 54 of the general statutes,  
123 before a municipality, (B) communications by a representative of a  
124 vendor or by an employee of the client lobbyist which representative  
125 or employee acts as a salesperson and does not otherwise engage in  
126 lobbying regarding any administrative action, (C) communications by  
127 an attorney made while engaging in the practice of law and regarding  
128 any matter other than legislative action or the proposal, drafting,  
129 development, consideration, amendment, adoption or repeal of any  
130 rule, regulation, ordinance, referendum or budget, (D)  
131 notwithstanding the provisions of subparagraph (C) of this  
132 subdivision, communications by an attorney, made while engaging in  
133 the practice of law, with any official or staff of any agency of the  
134 municipality having responsibility for land use decisions or the  
135 legislative body of the municipality, concerning legislative action or  
136 the proposal, drafting, development, consideration, amendment,  
137 adoption or repeal of any rule, regulation, ordinance, referendum or

138 budget, with regard to a land use matter before such agency or  
139 legislative body, or (E) other communications exempted by regulations  
140 adopted by the commission in accordance with the provisions of  
141 chapter 54 of the general statutes.

142 (14) "Lobbyist" means a person who in lobbying and in furtherance  
143 of lobbying, with regard to a single municipality, makes or agrees to  
144 make expenditures, or receives or agrees to receive compensation,  
145 reimbursement, or both, and such compensation, reimbursement or  
146 expenditures for a single municipality are two thousand dollars or  
147 more in any calendar year or the combined amount thereof for a single  
148 municipality is two thousand dollars or more in any such calendar  
149 year. Lobbyist shall not include:

150 (A) A municipal official or municipal employee, or such official's or  
151 employee's designee other than an independent contractor, who is  
152 acting within the scope of such official's, employee's or designee's  
153 authority or employment;

154 (B) A publisher, owner or an employee of the press, radio or  
155 television while disseminating news or editorial comment to the  
156 general public in the ordinary course of business;

157 (C) An individual representing such individual or another person  
158 before the municipality other than for the purpose of influencing  
159 legislative or administrative action;

160 (D) Any individual or employee who receives no compensation or  
161 reimbursement specifically for lobbying and who limits such  
162 individual's or employee's activities solely to formal appearances to  
163 give testimony before public sessions of the legislative body of a  
164 municipality and who, if such individual or employee testifies,  
165 registers such individual's or employee's appearance in the records of  
166 the legislative body;

167 (E) A member of an advisory board acting within the scope of such  
168 member's appointment;

169 (F) Any person who receives no compensation or reimbursement  
170 specifically for lobbying and who spends no more than five hours  
171 lobbying or in furtherance of lobbying, unless such person, exclusive  
172 of salary, receives compensation or makes expenditures, or both, of  
173 two thousand dollars or more in any calendar year for lobbying or the  
174 combined amount thereof is two thousand dollars or more in any such  
175 calendar year;

176 (G) A communicator lobbyist who receives or agrees to receive  
177 compensation, reimbursement, or both, the aggregate amount of which  
178 is less than two thousand dollars from each client in any calendar year;

179 (H) A public official or state employee, as defined in section 1-79 of  
180 the general statutes, other than an independent contractor, who is  
181 acting within the scope of his or her authority or employment; or

182 (I) A senator or representative in Congress acting within the scope  
183 of such senator's or representative's office.

184 (15) "Member of an advisory board" means any person appointed by  
185 a municipal official as an advisor or consultant or member of a  
186 committee, commission or council established to advise, recommend  
187 or consult with a municipal official or a branch of municipal  
188 government or a committee thereof and who receives no public funds  
189 other than per diem payments or reimbursement for such person's  
190 actual and necessary expenses incurred in the performance of such  
191 person's official duties and who has no authority to expend any public  
192 funds or to exercise the power of a municipality.

193 (16) "Municipal official" means any elected municipal officer or any  
194 person appointed to any office of a municipality.

195 (17) "Municipal employee" means any employee of a municipality,  
196 whether in the classified or unclassified service and whether full or  
197 part-time.

198 (18) "Municipality" means any city, town, borough, municipal

199 corporation, municipal authority, school district, regional district,  
200 metropolitan district or other district.

201 (19) "Person" means an individual, a business, corporation, limited  
202 liability company, union, association, firm, partnership, committee,  
203 club or other organization or group of persons.

204 (20) "Political contribution" has the same meaning as in section 9-  
205 333b of the general statutes except that for purposes of sections 501 to  
206 516, inclusive, of this act, the provisions of subsection (b) of section 9-  
207 333b of the general statutes shall not apply.

208 (21) "Registrant" means a person who is required to register  
209 pursuant to section 505 of this act.

210 (22) "Reimbursement" means any money or thing of value received  
211 or to be received in the form of payment for expenses as a lobbyist, not  
212 including compensation.

213 Sec. 502. (NEW) (*Effective January 1, 2004*) The State Ethics  
214 Commission shall:

215 (1) Adopt regulations in accordance with chapter 54 of the general  
216 statutes to carry out the purposes of sections 501 to 516, inclusive, of  
217 this act. The commission shall adopt regulations which further clarify  
218 the meaning of the terms "directly and personally received" and "major  
219 life event", as used in section 501 of this act;

220 (2) Compile and maintain an index of all reports and statements  
221 filed with the commission under the provisions of sections 501 to 516,  
222 inclusive, of this act and advisory opinions issued by the commission  
223 with regard to the requirements of said sections, to facilitate public  
224 access to such reports, statements and advisory opinions promptly  
225 upon the filing or issuance thereof;

226 (3) Prepare quarterly and annual summaries of statements and  
227 reports filed with the commission and advisory opinions issued by the  
228 commission;



229 (4) Preserve advisory opinions permanently and preserve  
230 memoranda filed under subsection (f) of section 504 of this act,  
231 statements and reports filed by and with the commission for a period  
232 of five years from the date of receipt;

233 (5) Upon the concurring vote of four of its members, issue advisory  
234 opinions with regard to the requirements of this part, upon the request  
235 of any person, subject to the provisions of sections 501 to 516,  
236 inclusive, of this act, and publish such advisory opinions in the  
237 Connecticut Law Journal. Advisory opinions rendered by the  
238 commission, until amended or revoked, shall be binding on the  
239 commission and shall be deemed to be final decisions of the  
240 commission for purposes of section 514 of this act. Any advisory  
241 opinion concerning any person subject to the provisions of sections 501  
242 to 516, inclusive, of this act who requested the opinion and who acted  
243 in reliance thereon, in good faith, shall be binding upon the  
244 commission, and it shall be an absolute defense in any criminal action  
245 brought under the provisions of said sections that the accused acted in  
246 reliance upon such advisory opinion;

247 (6) Report annually, prior to February fifteenth, to the Governor  
248 summarizing the activities of the commission concerning sections 501  
249 to 516, inclusive, of this act;

250 (7) Employ necessary staff within available appropriations to carry  
251 out the purposes of sections 501 to 516, inclusive, of this act.

252 Sec. 503. (NEW) (*Effective January 1, 2004*) (a) (1) Upon the complaint  
253 of any person on a form prescribed by the State Ethics Commission,  
254 signed under penalty of false statement, or upon its own complaint,  
255 the commission shall investigate any alleged violation of sections 501  
256 to 516, inclusive, of this act. Not later than five days after the receipt or  
257 issuance of such complaint, the commission shall provide notice of  
258 such receipt or issuance and a copy of the complaint by registered or  
259 certified mail to any respondent against whom such complaint is filed  
260 and shall provide notice of the receipt of such complaint to the

261 complainant. When the commission undertakes an evaluation of a  
262 possible violation of sections 501 to 516, inclusive, of this act prior to  
263 the filing of a complaint by the commission, the subject of the  
264 evaluation shall be notified within five business days after a  
265 commission staff member's first contact with a third party concerning  
266 the matter.

267 (2) In the conduct of its investigation of an alleged violation of  
268 sections 501 to 516, inclusive, of this act, the commission shall have the  
269 power to hold hearings, administer oaths, examine witnesses, receive  
270 oral and documentary evidence, subpoena witnesses under procedural  
271 rules adopted by the commission as regulations in accordance with the  
272 provisions of chapter 54 of the general statutes to compel attendance  
273 before the commission and to require the production for examination  
274 by the commission of any document or physical evidence that the  
275 commission deems relevant in any matter under investigation or in  
276 question. In the exercise of such powers, the commission may use the  
277 services of the state police, who shall provide the same upon the  
278 commission's request. The commission shall make a record of all  
279 proceedings conducted pursuant to this subsection. Any witness  
280 summoned before the commission shall receive the witness fee paid to  
281 witnesses in the courts of this state. The respondent shall have the  
282 right to appear and be heard and to offer any information which may  
283 tend to clear the respondent of probable cause to believe that the  
284 respondent has violated any provision of sections 501 to 516, inclusive,  
285 of this act. The respondent shall also have the right to be represented  
286 by legal counsel and to examine and cross-examine witnesses. Not  
287 later than ten days prior to the commencement of any hearing  
288 conducted pursuant to this subsection, the commission shall provide  
289 the respondent with a list of its intended witnesses. The commission  
290 shall make no finding that there is probable cause to believe the  
291 respondent is in violation of sections 501 to 516, inclusive, of this act,  
292 except upon the concurring vote of four of its members.

293 (b) If a preliminary investigation indicates that probable cause exists  
294 for the violation of a provision of sections 501 to 516, inclusive, of this

295 act, the commission shall initiate hearings to determine whether there  
296 has been a violation of said sections. A judge trial referee, who shall be  
297 assigned by the Chief Court Administrator and who shall be  
298 compensated in accordance with section 52-434 of the general statutes  
299 out of funds available to the commission, shall preside over such  
300 hearing and shall rule on all matters concerning the application of the  
301 rules of evidence, which shall be the same as in judicial proceedings.  
302 The trial referee shall have no vote in any decision of the commission.  
303 All hearings of the commission held pursuant to this subsection shall  
304 be open. At such hearing the commission shall have the same powers  
305 as under subsection (a) of this section and the respondent shall have  
306 the right to be represented by legal counsel, the right to compel  
307 attendance of witnesses and the production of books, documents,  
308 records and papers and to examine and cross-examine witnesses. Not  
309 later than ten days prior to the commencement of any hearing  
310 conducted pursuant to this subsection, the commission shall provide  
311 the respondent with a list of its intended witnesses. The judge trial  
312 referee shall, while engaged in the discharge of the judge trial referee's  
313 duties as provided in this subsection, have the same authority as is  
314 provided in section 51-35 of the general statutes over witnesses who  
315 refuse to obey a subpoena or to testify with respect to any matter upon  
316 which such witness may be lawfully interrogated, and may commit  
317 any such witness for contempt for a period no longer than thirty days.  
318 The commission shall make a record of all proceedings pursuant to  
319 this subsection. The commission shall find no person in violation of  
320 any provision of sections 501 to 516, inclusive, of this act except upon  
321 the concurring vote of five of its members. Not later than fifteen days  
322 after the public hearing conducted in accordance with this subsection,  
323 the commission shall publish its finding and a memorandum of the  
324 reasons for such finding. Such finding and memorandum shall be  
325 deemed to be the final decision of the commission on the matter for the  
326 purposes of chapter 54 of the general statutes. The respondent, if  
327 aggrieved by the finding and memorandum, may appeal therefrom to  
328 the Superior Court in accordance with the provisions of section 4-183  
329 of the general statutes.

330 (c) If any complaint brought under the provisions of sections 501 to  
331 516, inclusive, of this act is made with the knowledge that it is made  
332 without foundation in fact, the respondent shall have a cause of action  
333 against the complainant for double the amount of damage caused  
334 thereby and if the respondent prevails in such action, the respondent  
335 may be awarded by the court the costs of such action together with  
336 reasonable attorneys' fees.

337 (d) No complaint may be made under this section except within  
338 three years next after the violation alleged in the complaint has been  
339 committed.

340 (e) No person shall take or threaten to take official action against an  
341 individual for such individual's disclosure of information to the  
342 commission under the provisions of sections 501 to 516, inclusive, of  
343 this act. After receipt of information from an individual under the  
344 provisions of sections 501 to 516, inclusive, of this act, the commission  
345 shall not disclose the identity of such individual without the  
346 individual's consent unless the commission determines that such  
347 disclosure is unavoidable during the course of an investigation.

348 Sec. 504. (NEW) (*Effective January 1, 2004*) (a) Unless the State Ethics  
349 Commission makes a finding of probable cause, a complaint alleging a  
350 violation of sections 501 to 516, inclusive, of this act shall be  
351 confidential except upon the request of the respondent. A commission  
352 evaluation of a possible violation of said sections undertaken prior to a  
353 complaint being filed by the commission shall be confidential except  
354 upon the request of the subject of the evaluation. If the evaluation is  
355 confidential, no information supplied to or received from the  
356 commission shall be disclosed to any third party by a subject of the  
357 evaluation, a person contacted for the purpose of obtaining  
358 information or by a commission or staff member. No provision of this  
359 subsection shall prevent the commission from reporting the possible  
360 commission of a crime to the Chief State's Attorney or other  
361 prosecutorial authority.

362 (b) An investigation conducted prior to a probable cause finding  
363 shall be confidential except upon the request of the respondent. If the  
364 investigation is confidential, the allegations in the complaint and any  
365 information supplied to or received from the commission shall not be  
366 disclosed during the investigation to any third party by a complainant,  
367 respondent, witness, designated party, or commission or staff member.

368 (c) Not later than three business days after the termination of the  
369 investigation, the commission shall inform the complainant and the  
370 respondent of its finding and provide them a summary of its reasons  
371 for making that finding. The commission shall publish its finding upon  
372 the respondent's request and may also publish a summary of its  
373 reasons for making such finding.

374 (d) If the commission makes a finding of no probable cause, the  
375 complaint and the record of its investigation shall remain confidential,  
376 except upon the request of the respondent and except that some or all  
377 of the record may be used in subsequent proceedings. No complainant,  
378 respondent, witness, designated party, or commission or staff member  
379 shall disclose to any third party any information learned from the  
380 investigation, including knowledge of the existence of a complaint,  
381 which the disclosing party would not otherwise have known. If such a  
382 disclosure is made, the commission may, after consultation with the  
383 respondent if the respondent is not the source of the disclosure,  
384 publish its finding and a summary of its reasons therefor.

385 (e) The commission shall make public a finding of probable cause  
386 not later than five business days after the termination of the  
387 investigation. At such time the entire record of the investigation shall  
388 become public, except that the commission may postpone examination  
389 or release of such public records for a period not to exceed fourteen  
390 days for the purpose of reaching a stipulation agreement pursuant to  
391 subsection (c) of section 4-177 of the general statutes.

392 Sec. 505. (NEW) (*Effective January 1, 2004*) (a) A lobbyist shall  
393 register with the State Ethics Commission pursuant to section 506 of

394 this act for lobbying a municipality if the lobbyist:

395 (1) Receives or agrees to receive compensation or reimbursement for  
396 actual expenses, or both, in a combined amount of two thousand  
397 dollars or more in a calendar year for lobbying said municipality,  
398 whether that receipt of compensation or reimbursement or agreement  
399 to receive such compensation or reimbursement is solely for lobbying  
400 or the lobbying is incidental to that person's regular employment; or

401 (2) Makes or incurs an obligation to make expenditures of two  
402 thousand dollars or more in a calendar year for lobbying said  
403 municipality.

404 (b) A lobbyist shall register separately with the commission for each  
405 municipality for which the lobbyist meets the threshold requirement  
406 for registering under subsection (a) of this section.

407 (c) A person who is a lobbyist pursuant to part II of chapter 10 of the  
408 general statutes and is required to register with the commission  
409 pursuant to section 1-94 of the general statutes shall register separately  
410 with the commission for each municipality for which the lobbyist  
411 meets the threshold requirement for registering under subsection (a) of  
412 this section.

413 Sec. 506. (NEW) (*Effective January 1, 2004*) (a) Each registrant shall  
414 file annually with the State Ethics Commission on a separate  
415 registration form for each municipality for which the registrant meets  
416 the threshold requirement for registering under subsection (a) of  
417 section 505 of this act. The registrant shall sign each such form under  
418 penalty of false statement and file such forms with the commission on  
419 or before January fifteenth or prior to the commencement of lobbying,  
420 whichever is later. If the registrant is not an individual, an authorized  
421 officer or agent of the registrant shall sign each form. Such registration  
422 or registrations shall be on a form prescribed by the commission and  
423 shall include:

424 (1) If the registrant is an individual, the registrant's name,

425 permanent address and temporary address while lobbying and the  
426 name, address and nature of business of any person who compensates  
427 or reimburses, or agrees to compensate or reimburse the registrant and  
428 the terms of the compensation, reimbursement or agreement, but shall  
429 not include the compensation paid to an employee for the employee's  
430 involvement in activities other than lobbying;

431 (2) If the registrant is a corporation, the name, address, place of  
432 incorporation and the principal place of business of the corporation;

433 (3) If the registrant is an association, group of persons or an  
434 organization, the name and address of the principal officers and  
435 directors of such association, group of persons or organization. If the  
436 registrant is formed primarily for the purpose of lobbying, it shall  
437 disclose the name and address of any person contributing two  
438 thousand dollars or more to the registrant's lobbying activities in any  
439 calendar year;

440 (4) If the registrant is not an individual, the name and address of  
441 each individual who will lobby on the registrant's behalf; and

442 (5) The name of the municipality that the registrant is lobbying and  
443 the identification, with reasonable particularity, of areas of legislative  
444 action or administrative action on which the registrant expects to  
445 lobby.

446 (b) Each registrant shall pay a reasonable fee not in excess of the cost  
447 of administering each registration form provided for in subsection (a)  
448 of this section plus the cost of collecting, filing, copying and  
449 distributing the information filed by registrants under section 507 of  
450 this act, but not less than twenty-five dollars.

451 (c) Each registrant shall file a notice of termination within thirty  
452 days after the registrant ceases the activity that required registration,  
453 provided the registrant does not intend to resume the activity during  
454 the annual period for which the registrant is registered. The  
455 termination of a registration shall not relieve the registrant of the

456 reporting requirements of section 507 of this act for the period  
457 preceding the date that the registrant's notice of termination is received  
458 by the commission or for the period commencing on such date and  
459 ending on December thirty-first of the year in which termination  
460 occurs.

461       Sec. 507. (NEW) (*Effective January 1, 2004*) (a) Each client lobbyist  
462 registrant shall file with the State Ethics Commission between the first  
463 and tenth day of April, July, October and January a financial report,  
464 signed under penalty of false statement. Each report shall cover its  
465 lobbying activities during the previous calendar quarter. If the client  
466 lobbyist registrant is not an individual, an authorized officer or agent  
467 of the client lobbyist registrant shall sign the form.

468       (b) Each individual communicator lobbyist registrant and each  
469 business organization communicator lobbyist registrant shall file with  
470 the commission between the first and tenth day of January a report or  
471 reports, signed under penalty of false statement, reporting the  
472 amounts of compensation and reimbursement received from each of  
473 the registrant's clients during the previous year. In addition, each  
474 individual communicator lobbyist registrant and each business  
475 organization communicator lobbyist registrant shall: (1) Report the  
476 fundamental terms of contracts, agreements or promises to pay or  
477 receive compensation or reimbursement or to make expenditures in  
478 furtherance of lobbying, including the categories of work to be  
479 performed and the dollar value or compensation rate of the contract, at  
480 the time of registration; (2) report, in accordance with the schedule set  
481 forth in subsection (a) of this section, any amendments to these  
482 fundamental terms, including any agreements to subcontract lobbying  
483 work; and (3) report, in accordance with the schedule set forth in  
484 subsection (a) of this section, any expenditures for the benefit of a  
485 municipal official or a member of the staff or immediate family of the  
486 municipal official that are unreimbursed and required to be itemized.  
487 Such report shall not include the disclosure of food and beverage  
488 provided by a communicator lobbyist registrant to a municipal official  
489 or a member of the municipal official's staff or immediate family at a



490 major life event, as defined by the commission, of the registrant. All  
491 such information shall be reported under penalty of false statement.

492 (c) An individual communicator lobbyist registrant shall file a  
493 separate report for each person from whom the registrant received  
494 compensation or reimbursement. Notwithstanding any provision of  
495 this subsection to the contrary, a business organization to which one or  
496 more individual communicator lobbyist registrants belongs may file a  
497 single report for each client lobbyist in lieu of any separate reports that  
498 individual registrants are required to file pursuant to this subsection.

499 (d) Each registrant who files a notice of termination under  
500 subsection (c) of section 506 of this act shall file with the commission a  
501 financial report, under penalty of false statement, between the first and  
502 tenth day of January of the year following termination.

503 (e) Each client lobbyist registrant financial report shall be on a form  
504 prescribed by the commission and shall state expenditures made and  
505 the fundamental terms of contracts, agreements or promises to pay  
506 compensation or reimbursement or to make expenditures in  
507 furtherance of lobbying. Any such fundamental terms shall be  
508 reported once in the quarterly or post-termination report next  
509 following the entering into of such contract. Such financial report shall  
510 include an itemized statement of each expenditure of ten dollars or  
511 more per person for each occasion made by the reporting registrant or  
512 a group of registrants that includes the reporting registrant for the  
513 benefit of a municipal official or a member of the municipal official's  
514 staff or immediate family, itemized by date, beneficiary, amount and  
515 circumstances of the transaction. The requirement of an itemized  
516 statement shall not apply to an expenditure made by a reporting  
517 registrant or a group of registrants which includes the reporting  
518 registrant for benefits personally and directly received by a municipal  
519 official or municipal employee at a charitable or civic event at which  
520 the municipal official or municipal employee participates in such  
521 official's or employee's official capacity, unless the expenditure is thirty  
522 dollars or more per person, per event. If the compensation is required

523 to be reported for an individual whose lobbying is incidental to such  
524 individual's regular employment, it shall be sufficient to report a  
525 prorated amount based on the value of the time devoted to lobbying.  
526 On the first financial report following registration each client lobbyist  
527 registrant shall include any expenditures incident to lobbying activities  
528 that were received or expended prior to registration and not  
529 previously reported to the commission.

530 (f) The commission shall, by regulations adopted in accordance with  
531 chapter 54 of the general statutes, establish minimum amounts for each  
532 item required to be reported, below which reporting may be made in  
533 the aggregate. The provisions of this subsection shall not apply to  
534 expenditures made for the benefit of a municipal official or a member  
535 of such person's staff or immediate family.

536 (g) Each former registrant shall (1) report receipts or expenditures  
537 incident to lobbying activities during the former registrant's period of  
538 registration that are received or expended following termination of  
539 registration, and (2) report each expenditure of ten dollars or more per  
540 person for each occasion made by the former registrant for the benefit  
541 of a municipal official or a member of such official's immediate family  
542 or staff that occurs within six months after termination of registration.

543 (h) The commission shall, within thirty days after receipt of a  
544 financial report that contains the name of a municipal official or a  
545 member of such official's staff or immediate family, send a written  
546 notice to such official, of the filing of the report and the name of the  
547 person who filed it.

548 Sec. 508. (NEW) (*Effective January 1, 2004*) (a) Each registrant shall  
549 obtain and preserve all accounts, bills, receipts and other documents  
550 necessary to substantiate the financial reports required by section 507  
551 of this act for a period of three years from the date of the filing of the  
552 report referring to such financial matters, provided this section shall  
553 apply to each expenditure for the benefit of a municipal official of ten  
554 dollars or more and all other expenditures of fifty dollars or more.

555 (b) The State Ethics Commission may require, on a random basis,  
556 any registrant to make all such documents substantiating financial  
557 reports concerning lobbying activities available for inspection and  
558 copying by the commission for the purpose of verifying such financial  
559 reports, provided no registrant shall be subject to such requirement  
560 more than one time during any three consecutive years. The  
561 commission shall select registrants to be audited by lot in a ceremony  
562 which shall be open to the public. Nothing in this subsection shall  
563 require a registrant to make any documents concerning nonlobbying  
564 activities available to the commission for inspection and copying.

565 Sec. 509. (NEW) (*Effective January 1, 2004*) Each registrant required to  
566 file any financial reports under section 507 of this act shall do so in  
567 electronic form using the electronic filing program developed by the  
568 State Ethics Commission.

569 Sec. 510. (NEW) (*Effective January 1, 2004*) The State Ethics  
570 Commission shall make all computerized data from financial reports  
571 required by section 507 of this act available to the public through (1) a  
572 computer terminal in the office of the commission, and (2) the Internet  
573 or any other generally available on-line computer network.

574 Sec. 511. (NEW) (*Effective January 1, 2004*) Each registrant who pays  
575 or reimburses a municipal official or municipal employee ten dollars  
576 or more for necessary expenses shall, within thirty days, file a  
577 statement with the commission indicating the name of such individual  
578 and the amount of the expenses. As used in this section, "necessary  
579 expenses" means a municipal official's or municipal employee's  
580 expenses for an article, appearance or speech or for participation at an  
581 event, in such official's or employee's official capacity, which shall be  
582 limited to necessary travel expenses, lodging for the nights before, of  
583 and after the appearance, speech or event, meals and any related  
584 conference or seminar registration fees.

585 Sec. 512. (NEW) (*Effective January 1, 2004*) (a) No registrant or  
586 anyone acting on behalf of a registrant shall knowingly give a gift to

587 any municipal official, municipal employee, candidate for municipal  
588 office or a member of any such person's staff or immediate family.  
589 Nothing in this section shall be construed to permit any activity  
590 prohibited under section 53a-147 or 53a-148 of the general statutes.

591 (b) No person or business organization shall be employed to lobby  
592 for compensation which is contingent upon the outcome of any  
593 administrative or legislative action. No person shall employ a lobbyist  
594 or business organization for compensation that is contingent upon the  
595 outcome of any administrative or legislative action.

596 (c) No lobbyist may: (1) Do anything with the purpose of placing  
597 any municipal official under personal obligation; (2) attempt to  
598 influence any legislative action or administrative action for the  
599 purpose of thereafter being employed to secure its defeat; (3) cause any  
600 communication to be sent to any municipal official in the name of any  
601 other individual except with the consent of such individual.

602 (d) Any person who gives to a municipal official, municipal  
603 employee or candidate for municipal office, or a member of any such  
604 person's staff or immediate family anything of value which is subject  
605 to the reporting requirements pursuant to subsection (e) of section 507  
606 of this act shall, not later than ten days thereafter, give such recipient a  
607 written report stating the name of the donor, a description of the item  
608 or items given, the value of such items and the cumulative value of all  
609 items given to such recipient during that calendar year. The provisions  
610 of this subsection shall not apply to a political contribution otherwise  
611 reported as required by law.

612 Sec. 513. (NEW) (*Effective January 1, 2004*) Any person aggrieved by  
613 any final decision of the State Ethics Commission, made pursuant to  
614 sections 501 to 516, inclusive, of this act, may appeal such decision in  
615 accordance with the provisions of section 4-175 or 4-183 of the general  
616 statutes.

617 Sec. 514. (NEW) (*Effective January 1, 2004*) (a) The State Ethics  
618 Commission, upon a finding made pursuant to section 503 of this act

619 that there has been a violation of any provision of sections 501 to 516,  
620 inclusive, of this act, shall have the authority to order the violator to do  
621 any or all of the following: (1) Cease and desist the violation of said  
622 sections; (2) file any report, statement or other information as required  
623 by said sections; or (3) pay a civil penalty of not more than two  
624 thousand dollars for each violation of said sections. The commission  
625 may prohibit any person who intentionally violates any provision of  
626 said sections from engaging in the profession of lobbyist for a period of  
627 not more than two years. In addition to such provisions, the  
628 commission may impose a civil penalty on any person who violates  
629 subsection (b) of section 512 of this act by receiving, agreeing to  
630 receive, paying, or agreeing to pay, compensation that is contingent  
631 upon the outcome of any administrative or legislative action or by  
632 terminating a lobbying contract as the result of the outcome of an  
633 administrative action or legislative action. The civil penalty shall not  
634 exceed the total amount of compensation that the person was required  
635 to pay or be paid under the contingent compensation agreement. No  
636 person may benefit from an agreement that violates subsection (b) of  
637 section 512 of this act.

638 (b) Notwithstanding the provisions of subsection (a) of this section,  
639 the commission may, after a hearing conducted in accordance with  
640 sections 4-176e to 4-184, inclusive, of the general statutes upon the  
641 concurring vote of five of its members, impose a civil penalty not to  
642 exceed ten dollars per day upon any registrant who fails to file any  
643 report, statement or other information as required by sections 501 to  
644 516, inclusive, of this act. Each distinct violation of this subsection shall  
645 be a separate offense and, in case of a continued violation, each day  
646 thereof shall be deemed a separate offense. In no event shall the  
647 aggregate penalty imposed for such failure to file exceed two thousand  
648 dollars.

649 (c) The commission may also report its finding to the Chief State's  
650 Attorney for any action deemed necessary.

651 Sec. 515. (NEW) (*Effective January 1, 2004*) Any person who

652 intentionally violates any provision of sections 501 to 516, inclusive, of  
653 this act shall be imprisoned for a term not to exceed one year or shall  
654 be fined an amount not to exceed two thousand dollars, or both.

655       Sec. 516. (NEW) (*Effective January 1, 2004*) Each individual who is a  
656 lobbyist shall, while engaged in lobbying, wear a distinguishing badge  
657 which shall identify the individual as a lobbyist. The size, color,  
658 material and other requirements of such badge shall be prescribed by  
659 regulation of the State Ethics Commission."